

PATENT DOCKET NO.: ORN 3.0-004

4700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Marvin A. Ornstein
Richard B. Hanbicki

Serial No.: 09/305562

Filed: May 5, 1999

Group Art Unit: 3713

Examiner: Mark Sager



#2

For: METHOD AND APPARATUS FOR ACCUMULATING BETTING
DATA IN GAMES OF CHANCE

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Assistant Commissioner For Patents
Washington, DC 20231

PETITION UNDER 37 C.F.R. SECTION 1.53 (c)

Sir:

Applicant, by way of its attorneys, hereby petitions that the above-identified application, which includes the specification abstract and claims, together with the drawings therefore, be granted a filing date of May 5, 1999.

The undersigned attorney was responsible for filing the above-identified application. The undersigned inadvertently omitted the informal drawings when filing the application. The undersigned realized this inadvertent omission upon receipt of the Official Filing Receipt, which

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indicated that the application contained no drawings.

The undersigned, upon learning of this omission, promptly submitted the formal drawings and had them hand-carried to Group Art Unit 3713, obtaining a filing date for the drawings of June 8, 1999, see the date stamp of Group 3700. The undersigned followed-up the status of the application with examiner Mark Sager and was advised that, in order to obtain the filing date of May 5, 1999 for the complete application, including the drawings, it is necessary to file a petition.

Applicant submits that the present application is entitled to a filing date for the complete application, including the drawings, of May 5, 1999.

Each and every figure of the drawings submitted June 8, 1999 is referred to and described in detail in the specification, as well as being specifically identified in the brief description of the figures, found in the specification at page 14, line 33 through page 16, line 20.

As one example, a detailed description of Figure 1 is provided in the application starting at line 25, page 16 through line 11 at page 17. Figure 1a is described in detail at line 30, page 17 through line 7, page 18. As another example, Figure 1b is described in detail at page 18, line 31 through page 20 line 17. Each and every remaining figure of the drawings is likewise described in detail in the specification.

Section 2163 M.P.E.P. provides that information contained in any one of the specification claims or drawings of the application as filed may be added to any other part of the application **without** introducing new matter. It is submitted that all of the subject matter in the drawings, filed with the Patent Office on June 8, 1999 is described in detail in the specification, as well as the claims, and hence is not new matter. It is therefore submitted that the present application, including the drawings filed May 5, 1999 is entitled to the original filing date of May 5, 1999

and it is requested that applicant be granted this filing date.

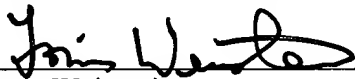
In the alternative, Applicant submits that the complete application is entitled to a filing date of no later than June 8, 1999.

In accordance with Section 1. 21(n), Applicant submits herewith a check in the amount of \$130.00 to cover the fee for handling an incomplete application. In the event of any over payment or under payment, the undersigned herewith authorizes the Patent Office to respectively credit or charge the deposit account of the undersigned (Acct. No. 23-017).

Favorable action is awaited.

Respectfully submitted,

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